

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of )  
)  
Amendment of Section 73.202(b) )  
FM Table of Allotments, )  
For FM Broadcast Stations. )  
)  
(Russellville and Littleville, Alabama) )

MB Docket No. 04-12  
RM-10834 \*/

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: The Secretary, to forward to Assistant Chief (Allocations), Audio Division

COMMENTS

Clear Channel Broadcasting Licenses, Inc. ("Clear Channel"), the licensee of WMXV(FM), Channel 278A, Russellville, Alabama (Facility ID No 14928), by its attorneys, and in response to the Notice of Proposed Rule Making in the above-captioned proceeding, DA 04-72 (released January 20, 2004) (the "Notice"), hereby affirms its support for the proposal set forth in the *Notice* and as proposed in Clear Channel's Petition for Rulemaking dated September 24, 2003, as supplemented on September 25, 2003 (collectively, the "Petition"), for the modification of the Commission's Table of Allotments for FM Broadcast Stations (Section 73.202 of the Commission's Rules) to: (a) delete Channel 278A from Russellville, Alabama; (b) add Channel 278A to Littleville, Alabama, and (c) modify

\*/ Although the Notice of Proposed Rule Making captioned this proceeding as RM-10843, according to the staff of the Audio Division, the correct rule making number is RM-10834.

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the license of WMXV(FM) to specify operations on Channel 278A at Littleville, Alabama, in lieu of operation on Channel 278A at Russellville, Alabama (collectively, the "Proposal").

The Audio Division stated in the *Notice* that, from the proposed reference coordinates, the Proposal would satisfy the Commission's spacing requirements. Also as set forth in the *Notice*, Russellville will continue to receive local service from AM stations WGOL (Facility ID No. 60506) and WKAX (Facility ID No. 57623). Moreover, Littleville is not part of any urbanized area, and the principal community contour of a station operating on the proposed allotment at maximum facilities from the proposed reference coordinates would not encompass 50 percent of any urbanized area.

The Audio Division concluded in the *Notice* that grant of the Proposal would satisfy the third allotment priority by delivering a first local aural transmission service to Littleville, Alabama. As set forth in the Petition, Littleville has been designated as a place in the 2000 Census; and Littleville has been incorporated since 1956.<sup>1/</sup> As detailed in the Petition,<sup>2/</sup> Littleville's other characteristics likewise demonstrate that it deserves its own local transmission service. Littleville has a 2000 Census population of 978 persons. Littleville has its own Town Hall, mayor, city clerk and town council. Littleville provides many municipal services, including water, sewer, garbage and police services. It is also

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<sup>1/</sup> See Petition at n.3 and n.4. The Petition is hereby incorporated by reference.

<sup>2/</sup> See Petition at 2-3 and Exhibits 1-4.

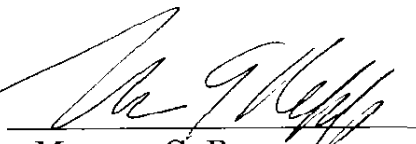
the home of the Town of Littleville Volunteer Fire Department. Littleville has a newly constructed senior citizen center and a new addition to the local school is under construction. The Littleville Industrial Park is located within the city limits of Littleville. Moreover, four churches and many local businesses serve the residents of Littleville.

A statement from Clear Channel affirming that it will apply for the allotment if changed as proposed is attached.

For the foregoing reasons, the Commission should adopt the changes in the Table of Allotments set out in the *Notice* and should approve the proposed modification of WMXV(FM)'s license pursuant to Section 1.420(i) of the Commission's Rules.

Respectfully submitted,

**CLEAR CHANNEL  
BROADCASTING LICENSES, INC.**

By:   
Marissa G. Repp

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Its Attorneys

March 11, 2004

## **DECLARATION**

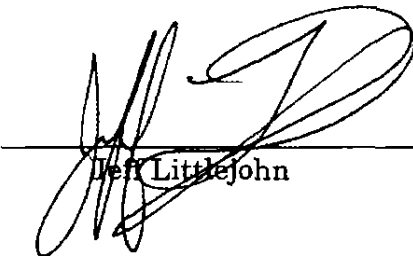
I, Jeff Littlejohn, declare as follows:

1 I am Senior Vice President - Engineering of Clear Channel Broadcasting Licenses, Inc. ("Clear Channel"), the licensee of Station WMXV(FM), Russellville, Alabama.

2. Clear Channel intends to apply for a construction permit for Station WMXV(FM) to operate on Channel 278A at Littleville, Alabama, upon adoption of the proposed rule making amending Section 73.202, Table of Allotments, FM Broadcast Stations (Russellville and Littleville, Alabama), MB Docket No. 04-12.

3 If the construction permit for Station WMXV(FM) on Channel 278A at Littleville, Alabama, is granted, Clear Channel will promptly construct and operate such facilities.

I hereby declare under penalty of perjury that the statements made in this declaration are true and accurate to the best of my knowledge, information and belief.



Jeff Littlejohn

Executed this 11<sup>th</sup> day of March, 2004.